

REMARKS

Claims 1-7, 14-20 and 25-31 are pending. Claims 8-13, 21-24 and 32-35 have been canceled without prejudice. In the Office Action dated May 15, 2007, the Examiner rejected claims 1, 3-6, 14, 16-19, 25 and 27-30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,185,360 to Anton Jr. (“Anton”) in view of U.S. Patent No. 6,892,307 to Wood (“Wood”); rejected claims 2, 15 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Anton in view of Wood and further in view of U.S. Patent No. 6,460,141 to Olden (“Olden”); and rejected claims 7, 20 and 31 under 35 U.S.C. § 103(a) as being unpatentable over Anton in view of Wood in view of U.S. Patent No. 6,754,829 to Butt (“Butt”). Applicant respectfully traverses the rejections for the reasons set forth hereinbelow.

A. Claims 1, 3-6, 14, 16-19, 25 and 27-30 Are Not Obvious Over Anton And Wood

In response to the Examiner’s rejection of claims 1, 3-6, 14, 16-19, 25 and 27-30 as being obvious over Anton in view of Wood, Applicant respectfully requests reconsideration and withdrawal of the rejection because the Examiner has not established a *prima facie* case of obviousness. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Where a rejection is based on the assertion that all claim limitations are found in a number of prior art references, the fact finder must determine “[w]hat the prior art teaches, whether it teaches away from the claimed invention, and whether it motivates a combination of teachings from different references.” In re Fulton, 391 F.3d 1195, 1199-1200 (Fed. Cir. 2004).

As a preliminary matter, a *prima facie* case of obviousness has not been established because, as noted above, none of the references, alone or in combination, discloses or suggests authenticating client accesses at a controlled resource (e.g., a legacy application) before granting client access to the controlled resource by using a separate host system to extract and decrypt authentication data from the client that is then forwarded to the controlled resource for authenticating the client, as variously recited in claims 1, 14 and 25. *See, e.g.*, claim 1 (“forwarding the authentication data to a controlled resource which authenticates the client based on the authentication data before allowing the client to access the controlled resource.”) and Application, Abstract. On this point, the Examiner has conceded that “Woods fails to teach forwarding the authentication data to a controlled resource.” Office Action, p. 3 (May 15, 2007).

The disclosure from Anton cited by the Examiner (Anton col. 9, line 65 to col. 10, line 3) to meet the “forwarding” claim requirement is likewise deficient, insofar as the information forwarded to Anton’s “gateway server” is not used by the “gateway server” as a controlled resource to authenticate the client “before allowing the client to access the controlled resource” as variously recited in the claims. Indeed, there is no indication in Anton that the client 121 is ever given access to the gateway server 135, much less that the gateway server 135 ever authenticates the client 121 using decrypted authentication data extracted by the authentication web server 137.

The reason for this deficiency is readily understood once the purpose of Anton taken into account. Rather than being concerned with granting access to controlled resources on the Internet, such as legacy applications (as is the case the Applicant’s invention), Anton’s invention is directed to controlling access to the Internet in the first place by users who do not have registered accounts on the access network. *See*, Anton, col. 4, lines 23-26 (“It is an object of the present invention to provide a system and method of permitting mobile users to gain Internet access via foreign data networks.”). To this end, Anton discloses with reference to Figure 8 that requests by a mobile user device

121 to access a target web page 133 through a wireless access point (step 1) are intercepted by the network 129 and re-directed to an authentication web server 137 (steps 2-3) which requests authentication information from the mobile user device 121 (step 4). *Id.*, col. 8, line 62 to col. 9, line 46. Once the required authentication information is

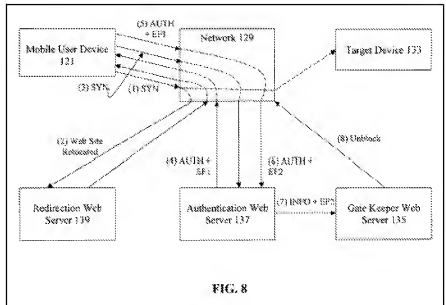


FIG. 8

received (steps 5-6), “the authentication web server 137 forwards the user-supplied information and the new client device ID keyword from the embedded reserved field to a gate keeper server 135” (step 7). *Id.*, col. 9, line 47 to col. 10, line 7. As described by the Examiner, the gate keeper server 137 then sends an unblock message to the network 129, which then grants Internet services to the mobile client device 121 (step 8). *Id.*, col. 10, lines 8-45.

As seen from the foregoing (and putting aside for the moment to propriety of combining the Anton and Wood references), a *prima facie* case of obviousness has not been established because neither Anton nor Wood disclose or suggest “forwarding the authentication data to a controlled resource which authenticates the client based on the authentication data before allowing the client to access the controlled resource.” Accordingly, claims 1, 14 and 25 are allowable. To the extent that dependent claims 3-6, 16-19 and 27-30 each respectively incorporate the requirements of independent claims 1, 14 and 25, these dependent claims are likewise allowable, even though there are additional differences recited in the dependent claims. For example, claims 4, 17 and 28 each variously recited “authenticating the client for access to the controlled resource based on the authentication data.” To meet this requirement of claims 4, 17 and 28, the Examiner cites Anton col. 10, lines 36-38, which discloses that “Network 129 verifies the encrypted ‘unblock’ message, and then updates its internal access list to grant Internet services of the mobile client device 121.” As this quote of the cited passage confirms, there is no reference to “authentication data” as claimed, only an “unblock message.” Nor does the cited Anton passage disclose “authenticating the client for access to the controlled resource” as claimed, but instead refers only to verifying the message from the gate keeper server 135 and then adding the client to an “internal access list” of mobile devices that are granted access to the Internet. Indeed, in this respect, Anton is only concerned with whether a client 121 can be given access to the Internet, and is entirely unconcerned with whether the target web page/device is a controlled device that requires client authentication before access is given. For at least the foregoing reasons, Applicant respectfully requests that the obviousness rejections of claims 1, 3-6, 14, 16-19, 25 and 27-30 over Anton and Wood be withdrawn and that the claims be allowed.

B. Claims 2, 15 and 26 Are Not Obvious Over Anton, Wood And Olden

In response to the Examiner’s rejection of claims 2, 15 and 26 as being obvious over Anton, Wood and Olden, Applicant respectfully requests reconsideration and withdrawal of the rejection because, as explained above with reference to independent claims 1, 14 and 25, none of the references disclose or suggest authenticating client accesses at a controlled resource (e.g., a legacy application) before granting client access to the controlled resource by using a separate host system to extract and decrypt authentication data from the client that is then forwarded to the controlled resource for authenticating the client. Olden does not remedy this deficiency.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Putting aside for the moment to propriety of combining these three references, a *prima facie* case of obviousness has not been established because none of the Anton, Wood or Olden references disclose Applicant's host-based authentication scheme for decrypting and forwarding authentication data to a "controlled resource" which authenticates the client based on the authentication data before allowing the client to access the controlled resource. For at least the foregoing reasons, Applicant respectfully requests that the obviousness rejections of claims 2, 15 and 26 over Anton, Wood and Olden be withdrawn and that the claims be allowed.

C. Claims 7, 20 and 31 Are Not Obvious Over Anton, Wood And Butt

In response to the Examiner's rejection of claims 7, 20 and 31 as being obvious over Anton, Wood and Butt, Applicant respectfully requests reconsideration and withdrawal of the rejection because, as explained above with reference to independent claims 1, 14 and 25, none of the references disclose or suggest authenticating client accesses at a controlled resource (e.g., a legacy application) before granting client access to the controlled resource by using a separate host system to extract and decrypt authentication data from the client that is then forwarded to the controlled resource for authenticating the client. Olden does not remedy this deficiency.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Putting aside for the moment to propriety of combining these three references, a *prima facie* case of obviousness has not been established because none of the Anton, Wood or Butt references disclose Applicant's host-based authentication scheme for decrypting and forwarding authentication data to a "controlled resource" which authenticates the client based on the authentication data before allowing the client to access the controlled resource. For at least the foregoing reasons, Applicant respectfully requests that the obviousness rejections of claims 7, 20 and 31 over Anton, Wood and Butt be withdrawn and that the claims be allowed.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at (512) 338-9100.

FILED ELECTRONICALLY
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Respectfully submitted,

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